

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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PRODUCTION TOOL SUPPLY COMPANY,  
LLC and PRODUCTION TOOL SUPPLY  
COMPANY EMPLOYEE BENEFIT PLAN

Plaintiffs,

v.

Case No. 16-10138

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant.

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**INTERIM SCHEDULING ORDER**

On August 8, 2016, at the request of the parties after a stalled mediation attempt, the court held an in-person status conference. The parties informed the court that more discovery would be necessary to make any progress in mediation and that a trial may eventually be required. The court agrees that more discovery will likely shed light on the various unknowns that are currently serving as an impediment to a negotiated resolution to this matter. Accordingly,

IT IS ORDERED that the parties shall use the next **ninety (90) days** to expeditiously conduct discovery, including third-party discovery, limited to three matters: (1) the amount of access fees charged in this case, (2) Plaintiffs' knowledge of the state of affairs with respect to the fees charged, and (3) the time at which Plaintiffs acquired such knowledge.<sup>1</sup>

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<sup>1</sup> The court understands, and the parties agree, that some limited discovery may also be conducted as to the issue of physician/professional claims related to the Physicians Group Incentive Program.

IT IS FURTHER ORDERED that the parties shall APPEAR for a telephone status conference at the close of this ninety day period, on **November 3, 2016 at 10:00 a.m.**

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: August 4, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 4, 2016, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522